

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JOHN REYNA,

Plaintiffs,

vs.

GUSTAVESON, et al.,

Defendants.

1:20-cv-01315-JLT-GSA-PC

**ORDER REQUIRING PARTIES TO
NOTIFY COURT WHETHER A
SETTLEMENT CONFERENCE WOULD
BE BENEFICIAL**

DEADLINE TO RESPOND: JULY 28, 2023

I. BACKGROUND

John Reyna ("Plaintiff") is a Kings County Jail inmate proceeding *pro se* and *in forma pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on September 14, 2020. (ECF No. 1.)

On October 11, 2022, the Court issued a Discovery and Scheduling Order establishing deadlines, including a discovery deadline of April 11, 2023, and a dispositive motion filing deadline of June 11, 2023. (ECF No. 16.) All of the deadlines have now expired.

1 This action now proceeds with Plaintiff's original Complaint against Defendant Dr.
2 Gustaveson, for failure to provide adequate medical care in violation of the Eighth Amendment.
3 (ECF No. 1.) No dispositive motions are pending.

4 At this stage of the proceedings, the Court ordinarily proceeds to schedule the case for
5 trial.

6 **II. SETTLEMENT PROCEEDINGS**

7 The Court is able to refer cases for mediation before a participating United States
8 Magistrate Judge. Settlement conferences are ordinarily held in person at the Court or at a prison
9 in the Eastern District of California. Plaintiff and Defendant shall notify the Court whether they
10 believe, in good faith, that settlement in this case is a possibility and whether they are interested
11 in having a settlement conference scheduled by the Court.¹

12 Defendant's counsel shall notify the Court whether there are security concerns that would
13 prohibit scheduling a settlement conference. If security concerns exist, counsel shall notify the
14 Court whether those concerns can be adequately addressed if Plaintiff is transferred for settlement
15 only and then returned to the jail for housing.

16 **III. CONCLUSION**

17 Based on the foregoing, **IT IS HEREBY ORDERED** that **on or before July 28, 2023,**
18 Plaintiff and Defendant shall each file a written response to this order.²

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20 IT IS SO ORDERED.

21 Dated: **June 29, 2023**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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26 ¹ The parties may wish to discuss the issue by telephone in determining whether they believe
settlement is feasible.

27 ² The issuance of this order does not guarantee referral for settlement, but the Court will make
28 every reasonable attempt to secure the referral should both parties desire a settlement conference.